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UNITED STATES DISTRICT COURT
NORTHERN MARIANA ISLANDS

UNITED STATES OF AMERICA,)	Criminal Case No. 05-00027
)	
Plaintiff,)	
)	GOVERNMENT'S REQUEST FOR
v.)	VICTIMS TO ALLOCUTE BY VIDEO-
)	CONFERNECE
ZHENG, MING YAN,)	
a/k/a, "Li-Na,")	
)	Date: December 8, 2006
)	Time: 9:00 p.m.
Defendant.)	Judge: Hon. Alex R. Munson
)	
)	

COMES NOW the plaintiff, UNITED STATES OF AMERICA, by and through its counsel, Leonardo M. Rapadas, United States Attorney, and Timothy E. Moran, Assistant United States Attorney, and hereby requests that the Court permit the victims, Lian, Wei and Chi, Xiumei, to allocute at the sentencing of the defendant by video-conference from the Guam District Court.

Pursuant to Fed. R. Crim. P. 32(i)(4)(B), the victims have a right of allocution in this case. Furthermore, the victims have a right to be present at the sentencing under 42 U.S.C. § 10606(b)(4). The victims are currently on Guam. In order to allow the victims to exercise their rights in a meaningful way, the government requests that they be permitted to attend the hearing

1 and to make any allocution to the Court by video-conference from the United States District
2 Court in Guam.

3 Title 42, United States Code, Section 10608 contemplates such a procedure, although in
4 the context of a criminal prosecution in which venue has been changed. Furthermore, as the
5 defendant does not enjoy her Sixth Amendment right of confrontation at sentencing, this request
6 does not infringe on the defendant's rights. United States v. Petty, 982 F.2d 1365, 1367 (9th Cir.
7 1993).

8 CONCLUSION

9 For the reasons stated above, the Government respectfully requests that the Court permit
10 the victims in this case to exercise their rights to be present during sentencing and to allocute by
11 video-conference from the District Court in Guam.

12
13 Dated: December 6, 2006
14 Saipan, CNMI

15 LEONARDO M. RAPADAS
16 United States Attorney
District of the Northern Mariana Islands

17 By: /s/
18 TIMOTHY E. MORAN
Assistant U.S. Attorney
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